

104TH CONGRESS
1ST SESSION

S. 253

To repeal certain prohibitions against political recommendations relating to Federal employment, to reenact certain provisions relating to recommendations by Members of Congress, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 20 (legislative day, JANUARY 10), 1995

Mr. LOTT introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

A BILL

To repeal certain prohibitions against political recommendations relating to Federal employment, to reenact certain provisions relating to recommendations by Members of Congress, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. PROHIBITIONS AGAINST POLITICAL REC-**
4 **COMMENDATIONS RELATING TO FEDERAL EM-**
5 **PLOYMENT.**

6 (a) IN GENERAL.—Section 3303 of title 5, United
7 States Code, is amended to read as follows:

1 **“§ 3303. Competitive service; recommendations of**
 2 **Senators or Representatives**

3 “An individual concerned in examining an applicant
 4 for or appointing him in the competitive service may not
 5 receive or consider a recommendation of the applicant by
 6 a Senator or Representative, except as to the character
 7 or residence of the applicant.”.

8 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

9 (1) The table of sections for chapter 33 of title 5, United
 10 States Code, is amended by amending the item relating
 11 to section 3303 to read as follows:

“3303. competitive service; recommendations of Senators or Representatives.”.

12 (2) Section 2302(b)(2) of title 5, United States Code,
 13 is amended to read as follows:

14 “(2) solicit or consider any recommendation or
 15 statement, oral or written, with respect to any indi-
 16 vidual who requests or is under consideration for
 17 any personnel action unless such recommendation or
 18 statement is based on the personal knowledge or
 19 records of the person furnishing it and consists of—

20 “(A) an evaluation of the work perform-
 21 ance, ability, aptitude, or general qualifications
 22 of such individual; or

23 “(B) an evaluation of the character, loy-
 24 alty, or suitability of such individual;”.

1 (c) EFFECTIVE DATE.—This Act shall take effect 30
2 days after the date of the enactment of this Act.

